

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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U.S. BANK TRUST, N.A.,

Plaintiff(s),

v.

SFR INVESTMENTS POOL I, LLC,

Defendant(s).

Case No. 2:16-CV-2604 JCM (PAL)

ORDER

Presently before the court is defendant SFR Investments Pool 1, LLC's motion for security of costs, pursuant to Nevada Revised Statute ("NRS") 18.130, against plaintiff U.S. Bank Trust, N.A., appearing as trustee for LSF9 Master Participation Trust. (ECF No. 7).

"When a plaintiff in an action resides out of the State, or is a foreign corporation, security for the costs and charges which may be awarded against such plaintiff may be required by the defendant" NRS 18.130. Further, "[i]t is the policy of the United States District Court for the District of Nevada to enforce the requirements of NRS 18.130 in diversity actions." *Feagins v. Trump Org.*, 2012 WL 925027 (D. Nev. 2012) (citing *Hamar v. Hyatt Corp.*, 98 F.R.D. 305, 305-6 (D. Nev. 1983); *Arrambide v. St. Mary's Hosp., Inc.*, 647 F.Supp. 1148, 1149 (D. Nev. 1986)).

Here, plaintiff states that it is "a national banking association chartered [sic] under the laws of the United States with its main office in the state of Minnesota" and that it is diverse from defendant. (ECF No. 1 at 2). Therefore, this court finds that defendant properly invokes NRS 18.130. Pursuant to that statute, plaintiff is to deposit \$500.00 with the clerk of court for "costs and charges as may be awarded" in this case. NRS 18.130.

Accordingly,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that defendant's motion for security of costs, (ECF No. 7) be, and the same hereby is, GRANTED.

1 IT IS FURTHER ORDERED that plaintiff U.S. Bank Trust, N.A. shall post a cost bond in
2 the amount of \$500.00 or make a cash deposit of \$500.00 within seven (7) days of the entry of this
3 order.

4 DATED December 9, 2016.

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7 UNITED STATES DISTRICT JUDGE
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